

## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,751	06/13/2000	Nick Kalageros	60.130-709	5781
75	90 03/25/2002			
CARLSON, GASKEY & OLDS 400 W. MAPLE ROAD SUITE 350			EXAMINER	
			CARPENTER, SCOTT A	
BIRMINGHAM, MI 48009			ART UNIT	PAPER NUMBER
			3612	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application/Control Number: 09/592,751

Art Unit: 3612

## NOTICE OF NON-RESPONSIVE AMENDMENT

- 1. The reply filed on 1/9/02 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant submitted new claims, some of which are drawn to non-elected species. As stated in the original restriction requirement (paper no. 3): "If claims are added after the election, applicant must indicate which are readable upon the elected species.

  MPEP 809.02(a)." See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).
- 2. Additionally, newly submitted claim 31 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: claim 31 is directed towards a process of making a panel, with the original claims being directed towards the product. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the apparatus as claimed could be made by coating a panel having reinforcements with an adhesive and then by hand placing a colored layer over the panel.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 31 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A. Carpenter whose telephone number is 703-308-6290. The examiner can normally be reached on Mon. - Thurs. 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on 703-308-3102. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3297 for regular communications and 703-308-3297 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

sac

March 20, 2002

JOSEPH D. PAPÉ

DRIMARY FXAMINER